

106TH CONGRESS
1ST SESSION

H. R. 1256

To amend the Securities Exchange Act of 1934 to provide for an annual limit on the amount of certain fees which may be collected by the Securities and Exchange Commission.

IN THE HOUSE OF REPRESENTATIVES

MARCH 24, 1999

Mr. FOSSELLA (for himself and Mr. MENENDEZ) introduced the following bill;
which was referred to the Committee on Commerce

A BILL

To amend the Securities Exchange Act of 1934 to provide for an annual limit on the amount of certain fees which may be collected by the Securities and Exchange Commission.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Savings and Invest-
5 ment Relief Act of 1999”.

1 **SEC. 2. TRANSACTION FEES.**

2 Section 31 of the Securities Exchange Act of 1934
3 (15 U.S.C. 78ee) is amended by adding at the end the
4 following new subsection:

5 “(h) TRANSACTION FEE LIMITATION; DEPOSIT OF
6 FEES.—

7 “(1) LIMITATION ON TRANSACTION FEES.—

8 “(A) IN GENERAL.—For fiscal years 2000
9 through 2006, the Commission shall not collect
10 any fees described in subsections (b), (c), and
11 (d) which in the aggregate exceed—

12 “(i) \$463,000,000 during fiscal year
13 2000;

14 “(ii) \$524,000,000 during fiscal year
15 2001;

16 “(iii) \$584,000,000 during fiscal year
17 2002;

18 “(iv) \$652,000,000 during fiscal year
19 2003;

20 “(v) \$725,000,000 during fiscal year
21 2004;

22 “(vi) \$803,000,000 during fiscal year
23 2005; and

24 “(vii) \$889,000,000 during fiscal year
25 2006.

1 “(B) PUBLICATION.—The Commission
2 shall publish annually in the Federal Register
3 notice of the fee limitations described in this
4 paragraph and any suspension of fees pursuant
5 to the limitations described in this paragraph.

6 “(C) COMMISSION AUTHORITY.—The Com-
7 mission shall have the authority to implement
8 by rule, regulation, or order a process for termi-
9 nation of fee collections consistent with the lim-
10 itation provided in this paragraph, including the
11 authority to provide by rule, regulation, or
12 order a process for appropriate treatment of
13 any amounts collected in excess of such limits.

14 “(2) DEPOSIT OF TRANSACTION FEES.—

15 “(A) GENERAL REVENUE.—Notwith-
16 standing subsections (b), (c), and (d), during
17 fiscal years 2000 through 2006, fees collected
18 pursuant to subsections (b), (c), and (d) shall
19 be deposited and collected as general revenue of
20 the Treasury, in an amount not to exceed—

21 “(i) \$338,000,000 during fiscal year
22 2000;

23 “(ii) \$389,000,000 during fiscal year
24 2001;

1 “(iii) \$444,000,000 during fiscal year
2 2002;

3 “(iv) \$502,000,000 during fiscal year
4 2003;

5 “(v) \$565,000,000 during fiscal year
6 2004;

7 “(vi) \$633,000,000 during fiscal year
8 2005; and

9 “(vii) \$709,000,000 during fiscal year
10 2006.

11 “(B) OFFSETTING COLLECTIONS.—Not-
12 withstanding subsections (b), (c) and (d), dur-
13 ing fiscal years 2000 through 2006, the balance
14 of any amounts collected pursuant to sub-
15 sections (b), (c), and (d) which are not depos-
16 ited as general revenue pursuant to subpara-
17 graph (A) shall be deposited and credited as
18 offsetting collections to the account providing
19 appropriations to the Commission, to the extent
20 provided for in advance in appropriations Acts.
21 If on the first day of a fiscal year, a regular ap-
22 propriation to the Commission has not been en-
23 acted, the Commission shall continue to collect
24 fees (as offsetting collections) under this sub-
25 paragraph at the rate in effect during the pre-

1 ceding fiscal year, until such a regular appro-
2 priation is enacted.

3 “(3) INSUFFICIENT FEES.—In any year in
4 which the total amount of fees collected under sec-
5 tion 31 of the Securities Act of 1934 and section
6 6(b) of the Securities Act of 1933 (including any
7 balance in the account providing appropriations to
8 the Commission) are insufficient to provide for the
9 Commission’s budget authority as provided by an
10 appropriations Act, such appropriations Act may
11 provide that the fee limitations described in para-
12 graph (1) shall be increased, with all such amounts
13 deposited and credited as offsetting collections to the
14 account providing appropriations to the Commis-
15 sion.”.

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